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**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 9th day of September, 1999

Notice of

PAN AMERICAN AIRWAYS CORP.

of intent to resume interstate scheduled operations under 49
U.S.C. 41102 pursuant to 14 CFR 204.7

Docket OST-99-5945 - 20

**ORDER CONFIRMING ORAL ACTION AND
ISSUING EFFECTIVE CERTIFICATE**

By Order 99-8-1 5, dated August 19, 1999, we found Pan American Airways Corp. ("Pan Am") to be fit, willing, and able to conduct certificated air carrier operations under section 41102 of Title 49 of the United States Code ("the Statute"), and transferred and reissued to Pan Am the certificate issued to Carnival Air Lines, Inc., by Order 90-1 2-38.

The certificate authorized Pan Am to engage in charter air transportation operations immediately, but conditioned the effectiveness of its authority to engage in scheduled air transportation operations on the Department's receipt of evidence that the Federal Aviation Administration had authorized the carrier to conduct such operations.

On September 1, 1999, we received a copy of Pan Am's FAA Air Carrier Certificate and Operations Specifications, effective August 24, 1999, authorizing it to engage in scheduled passenger air service with B-727-200 aircraft. We have reviewed these documents and find them to be in order.

To aid the Department in monitoring the fitness of new carriers, we have adopted a requirement that all start-up carriers must submit a detailed progress report, within 45 days following the end of the first year of actual flight operations, to the Air Carrier Fitness Division. The report should include a description of the carrier's current operations (number and type of aircraft, principal markets served, total number of full-time and part-time employees), a summary of how these operations have changed during the year, a discussion of

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any changes it anticipates from its current operations during its second year, current financial statements, and a listing of current senior management and key technical personnel. The carrier should also be prepared to meet with staff members of the Fitness Division to discuss its current and future operations.

Inasmuch as we have found Pan Am's FAA documents to be satisfactory, and since no other issues regarding the carrier have come to our attention, we are making its certificate authority effective on September 3, 1999. We informed Pan Am of that action on September 2, which we confirm here. We are reissuing the carrier's Certificate and attached Terms, Conditions, and Limitations to reflect the effective date of that authority.

ACCORDINGLY, acting under authority assigned by the Department in its Regulations, 14 CFR 385.12(a)(5)(i):

1. We reissue to Pan American Airways Corp. the certificate of public convenience and necessity issued to it by Order 99-8- 15, in the attached form, to reflect its effective date.
2. We confirm our oral action of September 2, 1999, making the certificate issued to Pan American Airways Corp. effective on September 3, 1999.
3. We direct that, should Pan American Airways Corp. propose to utilize more than eight aircraft in its operations, it must notify the Department in writing at least 45 days in advance and demonstrate its fitness for such operations prior to placing the additional aircraft into service.
4. We direct Pan American Airways Corp. to submit to the Air Carrier Fitness Division a first-year progress report, as described in this order, within 45 days following the end of its first year of actual flight operations.
5. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

¹ These financial statements should include a balance sheet as of the end of the company's first full year of actual flight operations and a twelve-month income statement ending that same day.

The action confirmed in this order was effective when taken and the filing of a petition for review shall not alter its effectiveness.

By: 

JOHN V. COLEMAN
Director
Office of Aviation Analysis

(SEAL)

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<http://dms.dot.gov/lreports/reports-aviation.asp>*



Certificate of Public Convenience and Necessity
for
Interstate Air Transportation

(as reissued;)

This Certifies That

PAN AMERICAN AIRWAYS CORP.

is authorized, subject to the provisions of Subtitle VII of Title 49 of United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the Secretary

Issued by Order 99-9-8
On September 9, 1999
Effective on September 3, 1999

John V. Coleman
Director
Office of Aviation Analysis



Terms, Conditions, and Limitations
PAN AMERICAN AIRWAYS CORP.

is authorized to engage in interstate air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the (Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*
- (2) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration.*
- (3) The holder shall at all times remain a "citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (4) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*
- (5) The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. 41734 and all orders and regulations issued by the Department of Transportation under that section.*
- (6) The holder may not provide scheduled passenger air transportation to or from Dallas (Love Field), Texas, except within the limits set forth in section 29 of the International Air Transportation Competition Act of 1979, as amended by section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998.*

**This certificate being reissued to reflect the effective date.*

7. Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.216), it must first comply with the requirements of 14 CFR 204.5.

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(8) In the event that the holder commences but subsequently ceases all operations for which it was found "fit, willing, and able," its authority under this certificate shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.

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